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UNCLAS SECTION 01 OF 02 NDJAMENA 000013

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TAGS: [PGOV](#) [PHUM](#) [PREF](#) [PREL](#) [SU](#) [CD](#)
SUBJECT: THE "LA VOIX" AFFAIR: JUSTICE PREVAILING

REF: (A) NDJAMENA 139, (B) NDJAMENA 260,
(C) NDJAMENA 409

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SUMMARY
AND COMMENT

¶1. (SBU) The Chadian justice system showed itself capable of asserting impartial authority in a highly partisan environment, and of carrying out due process and defending press freedom, when the GOC's Justice Ministry decided Jan 6 to authorize the troubled independent Chadian weekly "La Voix" to resume publication. "La Voix," whose owner is a prominent lawyer and opposition figure, was ordered to suspend publication last month because it failed to comply with Chadian law requiring payment of registration fees, and also as a consequence of the irregular residence status of its Cameroonian editor. Local and international press reports proliferated, charging that the GoC was trying to close down "La Voix" because of its opposition stance and criticism of President Deby's policies, and alleging that its editor and another staff member had been "disappeared" by unknown armed men.

¶2. (SBU) Despite our best efforts, we have been unable to find any evidence of disappearance or kidnapping of "La Voix" staff. The publication, while professionally produced and edited, and no more critical of the GOC than other independent media, seems nevertheless to have played into the hands of partisan elements in the GoC by mismanaging its own legal affairs.

¶3. (SBU) The positive outcome of the case demonstrates that justice can prevail in Chad, and that the Justice Ministry is committed to conducting business by the books. Ordinance 5, the emergency measure promulgated during the 2008 rebel attacks to restrict the ability of journalists to comment on "the work of security forces," was not a factor in the affair of La Voix. Ironically, the latest effort by the Embassy to professionalize Chadian journalists emphasized that journalists should avoid giving wary governments excuses to interfere with their work by ignoring details like those that derailed "La Voix" for a time. END SUMMARY AND COMMENT.

¶4. (SBU) La Voix's round of troubles began in October 2009, when

its editor, Innocent Ebode, a Cameroonian national who lacked accreditation as a journalist in Chad, was expelled for working without proper documentation. The owner of the paper, Jean-Bertrand Padare, a prominent Chadian lawyer (who defended opposition figures detained in February 2008), was advised by the GoC's High Communications Council (HCC) to seek a Commerce Ministry license to publish, but apparently failed to do so. On December 3, the HCC ordered "La Voix" to cease publication until properly licensed, but it did not – the last issue of the paper was dated December 31. On December 24, the Justice Minister, Jean Alingue (himself a member of the opposition CPDC party coalition), ordered a judicial inquiry into La Voix's legal status. Ebode seems to have been expelled from Chad a second time when he attempted to return in December, still lacking accreditation. On January 6, the Justice Ministry lifted the order on the paper to cease publication.

¶5. (SBU) The affair of La Voix was complicated by repeated local and international allegations that Ebode and Padare were targeted for political reasons, and that the GoC was trying to pressure La Voix out of existence. Ebode and the paper's accountant were widely reported to have been abducted and beaten by unknown individuals in December. Local human rights activists have told us that they are skeptical of these reports. One activist recounted a recent meeting of the Observation Group for Media Practice and Ethics (ODEMET), an independent press "watchdog" to which most Chadian journalists belong, where many members accused Padare of creating rumors about abuse of his staff by Chadian security forces so as to make his paper into a cause celebre.

ORDINANCE FIVE
NOT A FACTOR

¶6. (SBU) Ordinance 5, the emergency measure restricting the
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ability of journalists to comment on "the work of security forces," which was promulgated at the time of rebel attacks in 2008, was not a factor in the affair of "La Voix." The measure remains on the books despite pressure from local and international journalists to have it rescinded and to make a priority of media freedom in the period before legislative elections in 2010. Although the ordinance has never actually been invoked, its existence has left journalists uncertain as to how far they can go with critical commentary.

¶7. (SBU) Draft legislation that would rescind Ordinance 5 and replace it with a new law on media behavior has been circulating among the national Assembly, HCC, Communications Ministry and other GoC bodies for many months. Journalist associations consider the current draft replacement text to be as bad as or worse than Ordinance 5, in that it specifies prison terms for some types of reporting. There is no consensus on when the text might finally be agreed, or whether it would pass were it to be submitted to the National Assembly.

BACKGROUND

¶8. (SBU) "La Voix" is the newest of five opposition-oriented papers in N'Djamena, having been established in May of 2009. There is one paper sympathetic to the government, and a just-launched publication run by the author of an opposition website who has recently accepted a position with the Office of the National Mediator. Thus far, this publication appears to be relatively neutral.

¶9. (SBU) A development on the local journalistic scene that complements the Justice Ministry's decision to allow "La Voix" to publish is the GoC's provision of a new building for the "Maison des Medias," an independent journalist-run association that encourages adherence to international standards of media ethics. The current focus of the group is on mediation between reporters and citizens who believe they have been the victims of libel or inaccurate reporting.

COMMENT

¶10. (SBU) Despite our best efforts, we have been unable to find any evidence of "disappearance" or "kidnapping" of "La Voix" staff. The publication, while professionally produced and edited, and no more critical of the GOC than other independent media, seems nevertheless to have played into the hands of partisan elements in the GoC by mismanaging its own legal affairs.

¶11. (SBU) The positive outcome of the case demonstrates that justice can prevail in Chad, and that the Justice Ministry is committed to conducting business by the book. Ordinance 5, the emergency measure promulgated during the 2008 rebel attacks to restrict the ability of journalists to comment on "the work of security forces," was not a factor in the affair of La Voix. Ironically, the latest installment of the Embassy's efforts to professionalize Chadian journalists, emphasized that journalists avoid giving wary governments good excuses to interfere with their professional work by ignoring details like those that derailed "La Voix" for a time. END COMMENT.

¶12. (U) Minimize considered.